

REMARKS

By the above amendment, claim 2 has been canceled with claim 1 being amended to clarify features thereof, claim 4 amended to properly depend from claim 3 so as to provide for proper antecedent basis and new claims 6 - 21 being presented. Applicants note that claims 6 - 10 are dependent claims, dependent upon claim 1, whereas claims 11, 16 and 17 are new independent claims corresponding somewhat to the features of claim 1 while reciting other features of the present invention. Also by the present amendment, the patented status of the parent application has been updated.

As to the rejection of claims 1 - 4 under the judicially created doctrine of obviousness-type double patenting, in view of claims 1 - 3 of US Patent No. 6,728,031, which is the parent patent of this continuation application, as recognized by the Examiner, this rejection can be overcome by the submission of a terminal disclaimer. Without acquiescing in the propriety of the rejection as set forth, in order to expedite issuance of this application, submitted herewith is a terminal disclaimer and the statutory fee therefor. Thus, applicants submit that claim 1, as amended and its dependent claims 3 - 10 should now be in condition for allowance.

With respect to independent claims 11, 16 and 17 and the dependent claims thereof, applicants submit that these claims recite features of the present invention as described in the specification of this application and which features are not disclosed or taught in the cited art such that applicants submit that claims 11 - 21 should also be considered allowable at this time, noting that the terminal disclaimer as submitted is also effective with respect to such claims in relation to the claims of the parent patent. Accordingly, applicants request favorable action with respect to claims 11 - 21.


Furthermore, submitted herewith is an information disclosure statement and the appropriate fee therefor, and applicants request consideration of the documents submitted.

For the foregoing reasons, applicants submit that all claims present in this application should now be in condition for allowance and issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 520.37710CC2), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Melvin Kraus
Registration No. 22,466

MK/jla
(703) 312-6600